GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. Rt. No. 991/73/LBR. *Dated, Trivandrum 13th August 1973.*

The award of the Labour Court, Quilon in respect of the dispute between the Haji K. S. Muhammed Thampi Rowther, Proprietor, Kainakari Estate 'A' Part and authorised representative of Part-B, C. D, E and F of Kainakari Estate, Mathra, Punalur Kallumkal, Kanjirappally and their workmen of the said estate represented by the President, Pathanapuram Thottam Thozhilali Union, Punalur received by Government on 8-8-1973 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. P. MATHULLA,
Under Secretary.

In the Labour Court, (Kerala State) Quilon

Dated this the 30th day of July, 1973.

Present:

Shri A. T. KUNHIKORA, B.A., B.L.,

Presiding Officer

In

INDUSTRIAL DISPUTE No. 12/73.

Between

Haji K. S. Muhammed Thampi Rowther, Proprietor, Kainakari Estate 'A' Part and authorised representative of Parts B, C, D, E and F of Kainakari Estate, Mathra, Punalur, Kallumkal Kanjirappally.

And

The workmen of the said estates represented by the President, Pathanapuram Thottam Thozhilali Union, Punalur.

Representation:

Shri G. Sadasivan Nair, Advocate, Quilon. } For *the Management*

AWARD

This is an Industrial Dispute between Haji K. S. Muhammad Thampi Rowther, Proprietor, Kainakari Estate 'A' Part and authorised representative of Parts B, C D, E and F of Kainakari Estate, Mathra, Punalur, Kallunkal, Kanjirappally and the workmen of the said estates represented by the President, Pathanapuram Thottam Thozhilali Union, Punalur over (1) Dismissal of five toppers namely Sarvashree Chandran Pillai, Divakaran, Thankappan, P. Soman and Haneefa and (2) Lock-out of Kainakary Estate (All parts) with effect from 24-1-1973 referred to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) by the Government of Kerala, in their Order, Labour (A) Department, G. O. Rt. No. 274/73/LBR, Trivandrum, Dated 12-3-1973.

2. In pursuance of notice issued, the parties entered appearance but they did not file any statement regarding their respective claims. On the other hand, they filed a joint statement to the effect that the matter has been settled out of Court between the parties, and hence no further proceedings in this industrial dispute are necessary. As the matter has been settled out of Court between the parties, there is no industrial dispute now for adjudication before this Court. An award is passed accordingly.

This award will come into force on the expiry of 30 days after its publication in the Government Gazette.

A. T. KUNHIKORA,
Presiding Officer.

amended from time to time, there shall be levied and collected as an auxiliary duty of excise an amount equal to twenty per cent of the value of the goods as determined in accordance with the provisions of section 4 of the Central Excise Act.

(2) Sub-section (1) shall cease to have effect after the 31st day of March, 1974, except as respect things done or omitted to be done before such cesser; and sections 6 of the General Clauses Act, 1897, (10 of 1897) shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act.

(3) The auxiliary duties of excise referred to in sub-section (1) shall be in addition to any duties of excise chargeable on such goods under the Central Excises Act or any other law for the time being in force.

(4) The auxiliary duties of excise referred to in sub-section (1) shall be levied for the purposes of the Union and the proceeds thereof shall not be distributed among the States.

(5) The provisions of the Central Excises Act and the rules made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the auxiliary duties of excise leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of excise on such goods under that Act or those rules, as the case may be.

29. *Amendment of Act* 58 *of* 1957.—The Additional Duties of Excise (Goods of Special Importance) Act, 1957 (hereinafter referred to as the Additional Duties of Excise Act) shall be amended in the manner specified in the Fourth Schedule.

30. *Discontinuance of salt duty.*—For the year beginning on the 1st day of April, 1973, no duty under the Central Excises Act or the Tariff Act shall be levied in respect of salt manufactured in, or imported into, India.

THE FIRST SCHEDULE

(*See* section 2)

PART I

Income-tax and surcharges on income-tax

Paragraph A

In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred

to in sub-clause (*vii*) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

	Rates of income-tax
(1) where the total income does not exceed Rs. 5,000	*Nil*;
(2) where the total income exceeds Rs. 5,000 but does not exceed Rs. 10,000	10 per cent of the amount by which the total income exceeds Rs. 5,000;
(3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,000	Rs. 500 *plus* 17 per cent of the amount by which the total income exceeds Rs. 10,000;
(4) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000	Rs. 1,350 *plus* 23 per cent of the amount by which the total income exceeds Rs. 15,000;
(5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000	Rs. 2,500 *plus* 30 per cent of the amount by which the total income exceeds Rs. 20,000;
(6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000	Rs. 4,000 *plus* 40 per cent of the amount by which the total income exceeds Rs. 25,000;
(7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 40,000	Rs. 6,000 *plus* 50 per cent of the amount by which the total income exceeds Rs. 30,000;
(8) where the total income exceeds Rs. 40,000 but does not exceed Rs. 60,000	Rs. 11,000 *plus* 60 per cent of the amount by which the total income exceeds Rs. 40,000;
(9) where the total income exceeds Rs. 60,000 but does not exceed Rs. 80,000	Rs. 23,000 *plus* 70 per cent of the amount by which the total income exceeds Rs. 60,000;
(10) where the total income exceeds Rs. 80,000 but does not exceed Rs. 1,00,000	Rs. 37,000 *plus* 75 per cent of the amount by which the total income exceeds Rs. 80,000.
(11) where the total income exceeds Rs. 1,00,000 but does not exceed Rs. 2,00,000	Rs. 52,000 *plus* 80 per cent of the amount by which the total income exceeds Rs. 1,00,000;
(12) where the total income exceeds Rs. 2,00,000	Rs. 1,32,000 *plus* 85 per cent of the amount by which the total income exceeds Rs. 2,00,000:

Provided that for the purposes of this Paragraph, in the case of a Hindu undivided family which at any time during the previous year satisfies either of the following two conditions, namely:—

(a) that it has at least two members entitled to claim partition who are not less than eighteen years of age, or

(b) that it has at least two members entitled to claim partition who are not lineally descended one from the other and who are not lineally descended from any other living member of the family,—

(i) no income-tax shall be payable on a total income not exceeding Rs. 7,000;

(ii) where the total income exceeds Rs. 7,000 but does not exceed Rs. 7,660, the income-tax payable thereon shall not exceed forty per cent of the amount by which the total income exceeds Rs. 7,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the following rates, namely:—

(a) in a case where the total income does not exceed Rs. 15,000	10 per cent;
(b) in any other case	15 per cent:

Provided that the amount of surcharge payable shall, in no case, exceed the aggregate of the following sums, namely:—

(i) an amount calculated at the rate of 10 per cent on the amount of income-tax on an income of Rs. 15,000, if such income had been the total income (the income of Rs. 15,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the person concerned); and

(ii) 40 per cent of the amount by which the total income exceeds Rs. 15,000.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

(1) where the total income does not exceed Rs. 10,000	15 per cent of the total income;
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000	Rs. 1,500 *plus* 25 per cent of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 20,000	Rs. 4,000 *plus* 40 per cent of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph C

In the case of every registered firm,—

	Rates of income-tax
(1) where the total income does not exceed Rs. 10,000	*Nil;*
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000	4 per cent of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000	Rs. 600 *plus* 6 per cent of the amount by which the total income exceeds Rs. 25,000;
(4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000	Rs. 2,100 *plus* 12 per cent of the amount by which the total income exceeds Rs. 50,000;
(5) where the total income exceeds Rs. 1,00,000	Rs. 8,100 *plus* 20 per cent of the amount by which the total income exceeds Rs. 1,00,000.

Surcharges on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by the aggregate of surcharges for purposes of the Union calculated as specified hereunder:—

(a) in the case of a registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent of such total income, a surcharge calculated at the rate of ten per cent of the amount of income-tax computed at the rate hereinbefore specified;

(b) in the case of any other registered firm, a surcharge calculated at the rate of twenty per cent of the amount of income-tax computed at the rate hereinbefore specified; and

(c) a special surcharge calculated at the rate of fifteen per cent on the aggregate of the following amounts, namely:—

(i) the amount of income-tax computed at the rate hereinbefore specified; and

(ii) the amount of the surcharge calculated in accordance with clause (a) or, as the case may be, clause (b).

Explanation.—For the purposes of this paragraph, "registered firm" includes an unregistered firm assessed as a registered firm under clause (b) of section 183 of the Income-tax Act.

Paragraph D

In the case of every local authority,—

	Rate of income-tax
On the whole of the total income	50 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph E

In the case of the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956),—

Rates of income-tax

(i) on that part of its total income which consists of profits and gains from life insurance business	52·5 per cent.;
(ii) on the balance, if any, of the total income	the rate of income-tax applicable, in accordance with Paragraph F of this Part, to the total income of a domestic company which is a company in which the public are substantially interested.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge calculated at the rate of five per cent of such income-tax.

Paragraph F

In the case of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956),—

Rates of income-tax

I. In the case of a domestic company—

(1) where the company is a company in which the public are substantially interested,—	
(i) in a case where the total income does not exceed Rs. 50,000	45 per cent of the total income;
(ii) in a case where the total income exceeds Rs. 50,000	55 per cent of the total income;

(2) where the company is not a company in which the public are substantially interested,—

(i) in the case of an industrial company—

(a) on so much of the total income as does not exceed Rs. 10,00,000	55 per cent.;
(b) on the balance, if any, of the total income	60 per cent.;
(ii) in any other case	65 per cent of the total income:

Provided that the income-tax payable by a domestic company being, a company in which the public are substantially interested, the total income of which exceeds Rs. 50,000, shall not exceed the aggregate of—

(a) the income-tax which would have been payable by the company if its total income had been Rs. 50,000 (the income of Rs. 50,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and

(b) eighty per cent of the amount by which its total income exceeds Rs. 50,000.

II. In the case of a company other than a domestic company—

(i) on so much of the total income as consists of—

(a) royalties received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961, or

(b) fees for rendering technical services received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964,

and where such agreement has in either case, been approved by the Central Government — 50 per cent.,

(ii) on the balance, if any of the total income — 70 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge calculated at the rate of five per cent. of such income-tax.

PART II

Rates for deduction of tax at source in certain cases

In every case in which under the provisions of sections 193, 194, 194A, 194B, 194D and 195 of the Income-tax Act, tax is to be deducted at the rates in force, deduction shall be made from the income subject to deduction, at the following rates:—

	Income-tax	
	Rate of income-tax	Rate of surcharge
1. In the case of person other than a company—		
(a) where the person is resident—		
(i) on income by way of interest other than "Interest on securities"	10 per cent	*Nil*;
(ii) on income by way of winnings from lotteries and crossword puzzles	30 per cent	4·5 per cent;
(iii) on income by way of insurance commission	10 per cent	*Nil*;
(iv) on any other income (excluding interest payable on a tax-free security)	20 per cent	3 per cent;
(b) where the person is not resident in India—		
(i) on the whole income (excluding interest payable on a tax-free security)	income-tax at 30 per cent and surcharge at 4·5 per cent of the amount of the income, *Or* income-tax and surcharge on income-tax in respect of the income at the rates prescribed in Sub-Paragraph I of Paragraph A of Part III of this Schedule, if such income had been the total income, whichever is higher;	
(ii) on income by way of interest payable on a tax-free security	15 per cent	2·25 per cent.

	Income-tax	
	Rate of income-tax	Rate of surcharge
2. In the case of a company—		
(a) where the company is a domestic company—		
(i) on income by way of interest other than "Interest on securities"	20 per cent	1 per cent;
(ii) on any other income (excluding interest payable on a tax-free security)	22 per cent	1 per cent;
(b) where the company is not a domestic company—		
(i) on income by way of dividends payable by any domestic company	24·5 per cent	1·225 per cent
(ii) on income by way of royalties payable by an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961, and which has been approved by the Central Government	50 per cent	2·5 per cent;
(iii) on income by way of fees payable by an Indian concern for rendering technical services in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964, and which has been approved by the Central Government	50 per cent	2·5 per cent;
(iv) on income by way of interest payable on a tax-free security	44 per cent	2·2 per cent;
(v) on any other income	70 per cent	3·5 per cent.

PART III

Rates for calculating or charging income-tax in certain cases, deducting income-tax from income chargeable under head "Salaries" or any payment referred to in sub-section (9) of section 80E and computing "advance tax".

In cases in which income-tax has to be calculated under the first proviso to sub-section (5) of section 132 of the Income-tax Act or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or deducted under section 192 of the said Act from income chargeable under the head "Salaries" or deducted under sub-section (9) of section 80E of the said Act from any payment referred to in the said sub-section (9) or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed, at the rate or rates in force, such income-tax or, as the case may be, "advance tax" (not being "advance tax" in respect of any income chargeable to tax under section 164 of the Income-tax Act at the rate of sixty-five per cent) shall be so calculated, charged, deducted or computed at the following rate or rates:—

Paragraph A

Sub-Paragraph I

In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which Sub-Paragraph II of this Paragraph or any other Paragraph of this Part applies,—

Rates of Income-tax

(1) where the total income does not exceeds Rs. 5,000	*Nil*;
(2) where the total income exceeds Rs. 5,000 but does not exceed Rs. 10,000	10 per cent of the amount by which the total income exceeds Rs. 5,000;
(3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,000	Rs. 500 *plus* 17 per cent of the amount by which the total income exceeds Rs. 10,000;
(4) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000	Rs. 1,350 *plus* 23 per cent of the amount by which the total income exceeds Rs. 15,000;
(5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000	Rs. 2,500 *plus* 30 per cent of the amount by which the total income exceeds Rs. 20,000;
(6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000	Rs. 4,000 *plus* 40 per cent of the amount by which the total income exceeds Rs. 25,000;
(7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 40,000	Rs. 6,000 *plus* 50 per cent of the amount by which the total income exceeds Rs. 30,000;

(8) where the total income exceeds Rs. 40,000 but does not exceed Rs. 60,000	Rs. 11,000 *plus* 60 per cent of the amount by which the total income exceeds Rs. 40,000;
(9) where the total income exceeds Rs. 60,000 but does nos exceed Rs. 80,000	Rs. 23,000 *plus* 70 per cent of the amount by which the total income exceeds Rs. 60,000;
(10) where the total income exceeds Rs. 80,000 but does not exceed Rs. 1,00,000	Rs. 37,000 *plus* 75 per cent of the amount by which the total income exceeds Rs. 80,000;
(11) where the total income exceeds Rs. 1,00,000 but does not exceed Rs. 2,00,000	Rs. 52,000 *plus* 80 per cent of the amount by which the total income exceeds Rs. 1,00,000;
(12) where the total income exceeds Rs. 2,00,000	Rs. 1,32,000 *plus* 85 per cent of the amount by which the total income exceeds Rs. 2,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the following rates, namely:—

(a) in a case where the total income does not exceed Rs. 15,000	10 per cent;
(b) in any other case	15 per cent;

Provided that the amount of surcharge payable shall, in no case exceed the agregate of the following sums, namely:—

(i) an amount calculated at the rate of 10 per cent on the amount of income-tax on an income of Rs. 15,000, if such income had been the total income (the income of Rs. 15,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the person concerned); and

(ii) 40 per cent of the amount by which the total income exceeds Rs. 15,000.

Sub-Paragraph II

In the case of every Hindu undivided family which has at least one member whose total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1971 exceeds Rs. 5,000.—

Rates of income-tax

(1) where the total income does not exceed Rs. 5,000	*Nil*;
(2) where the total income exceeds Rs. 5,000 but does not exceed Rs. 10,000	17 per cent of the amount by which the total income exceeds Rs. 5,000;

(3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,000	Rs. 850 *plus* 23 per cent. of the amount by which the total income exceeds Rs. 10,000;
(4) where the total income exceeds Rs. 15,000 but does not exceed Rs, 20,000	Rs. 2,000 *plus* 30 per cent. of the amount by which the total income exceeds Rs. 15,000;
(5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000	Rs. 3,500 *plus* 40 per cent. of the amount by which the total income exceeds Rs. 20,000;
(6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000	Rs. 5,500 *plus* 50 per cent of the amount by which the total income exceeds Rs. 25,000;
(7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 40,000	Rs. 8,000 *plus* 60 per cent of the amount by which the total income exceeds Rs. 30,000;
(8) where the total income exceeds Rs. 40,000 but does not exceed Rs. 60,000	Rs. 14,000 *plus* 70 per cent of the amount by which the total income exceeds Rs. 40,000;
(9) where the total income exceeds Rs. 60,000 but does not exceed Rs. 80,000	Rs. 28,000 *plus* 75 per cent of the amount by which the total income exceeds Rs. 60,000;
(10) where the total income exceeds Rs. 80,000 but does not exceed Rs. 1,00,000	Rs. 43,000 *plus* 80 per cent of the amount by which the total income exceeds Rs. 80,000;
(11) where the total income exceeds Rs. 1,00,000	Rs. 59,000 *plus* 85 per cent of the amount by which the total income exceeds Rs. 1,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

(1) where the total income does not exceed Rs. 10,000	15 per cent of the total income;
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000	Rs. 1,500 *plus* 25 per cent of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 20,000	Rs. 4,000 *plus* 40 per cent of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph C

In the case of every registered firm,—

Rates of income-tax

(1) where the total income does not exceed Rs. 10,000.	*Nil*;
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000	4 per cent of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000	Rs. 600 *plus* 6 per cent of the amount by which the total income exceeds Rs. 25,000;
(4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000	Rs. 2,100 *plus* 12 per cent of the amount by which the total income exceeds Rs. 50,000;
(5) where the total income exceeds Rs. 1,00,000	Rs. 8,100 *plus* 20 per cent of the amount by which the total income exceeds Rs. 1,00,000.

Surcharges on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by the aggregate of surcharges for purposes of the Union calculated as specified hereunder:—

(*a*) in the case of a registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent of such total income, a surcharge calculated at the rate of ten per cent of the amount of income-tax computed at the rate hereinbefore specified;

(*b*) in the case of any other registered firm, a surcharge calculated at the rate of twenty per cent of the amount of income-tax computed at the rate hereinbefore specified; and

(*c*) a special surcharge calculated at the rate of fifteen per cent on the aggregate of the following amounts, namely:—

(i) the amount of income-tax computed at the rate hereinbefore specified; and

(ii) the amount of the surcharge calculated in accordance with clause (*a*) or, as the case may be, clause (*b*).

Explanation.—For the purposes of this Paragraph, "registered firm" includes an unregistered firm assessed as a registered firm under clause (*b*) of section 183 of the Income-tax Act.

Paragraph D

In the case every local authority,—

Rate of income-tax

On the whole of the total income	50 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph E

In the case of the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956, (31 of 1956),—

Rates of income-tax

(i) on that part of its total income which consists of profits and gains from life insurance business	52.5 per cent;
(ii) on the balance, if any, of the total income	the rate of income-tax applicable, in accordance with Paragraph F of this Part, to the total income of a domestic company which is a company in which the public are substantially interested.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge calculated at the rate of five per cent of such income-tax.

Paragraph F

In the case of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956, (31 of 1956),—

Rates of income-tax

I. In the case of a domestic company,—

(1) where the company is a company in which the public are substantially interested,—

(i) in a case where the total income does not exceed Rs. 1,00,000	45 per cent of the total income;
(ii) in a case where the total income exceeds Rs. 1,00,000	55 per cent of the total income;

(2) where the company is not a company in which the public are substantially interested,—

(i) in the case of an industrial company—

(a) on so much of the total income as does not exceed Rs. 2,00,000	55 per cent.;
(b) on the balance, if any, of the total income	60 per cent:
(ii) in any other case	65 per cent of the total income:

Provided that the income-tax payable by a domestic company, being a company in which the public are substantially interested, the total income of which exceeds Rs. 1,00,000, shall not exceed the aggregate of—

(a) the income-tax which would have been payable by the company if its total income had been Rs. 1,00,000 (the income of Rs. 1,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and

(b) eighty per cent of the amount by which its total income exceeds Rs. 1,00,000.

II. In the case of a company other than a domestic company—

(i) on so much of the total income as consists of—

(a) royalties received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961, or

(b) fees for rendering technical services received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964,

and where such agreement has, in either case, been approved by the Central Government	50 per cent.;
(ii) on the balance, if any, of the total income	70 per cent

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge calculated at the rate of five per cent. of such income-tax.

PART IV

[*See* section (2) (7) (*c*)]

RULES FOR COMPUTATION OF NET AGRICULTURAL INCOME

Rule 1.—Agricultural income of the nature referred to in sub-clause (a) of clause (1) of section 2 of the Income-tax Act shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from other sources" and the provisions of sections 57 to 59 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of section 58 shall apply subject to the modification that the reference to section 40A therein shall be construed as not including a reference to sub-sections (3) and (4) of section 40A.

Rule 2.—Agricultural income of the nature referred to in sub-clause (b) or sub-clause (c) of clause (1) of section 2 of the Income-tax Act [other than income derived from any building required as a dwelling house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c)] shall be computed as if it were income chargeable to income-tax under that Act under the head "Profits and gaines of business or profession" and the provisions of sections 30, 31, 32, 34, 36, 37, 38, 40, 40A [other than sub-sections (3) and (4) thereof], 41, 43 and 43A of the income tax Act shall, so far as may be, apply accordingly.

Rule 3.—Agricultural income of the nature referred to in sub-clause (c) of clause (1) of section 2 of the Income-tax Act, being income derived from any building required as a dwelling house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c), shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from house property" and the provisions of sections 23 to 27 of that Act shall, so far as may be, apply accordingly :

Provided that sub-section (2) of the said section 23 shall apply subject to the modifications that the references to "total income" therein shall be construed as references to net agricultural income and that the words, figures and letter "and before making any deduction under Chapter VIA" shall be omitted.

Rule 4.—Notwithstanding anything contained in any other provisions of these rules, in a case where the assessee derives income from sale of tea grown and manufactured by him in India, such income shall be computed in accordance with rule 8 of the Income-tax Rules, 1962, and sixty per cent. of such income shall be regarded as the agricultural income of the assessee.

Rule 5.—Where the assessee is a partner of a registered firm or an unregistered firm assessed as a registered firm under clause (b) of section 183 of the Income-tax Act, which in the previous year has any agricultural income, or is a partner of an unregistered firm which has not been assessed as a registered firm under clause (b) of the said section 183 and which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding five thousand rupees but has any agricultural income, then, the agricultural income or loss of the firm shall be computed in accordance with these rules and his share in the agricultural income or loss of the firm shall be computed in the manner laid down in sub-section (1), sub-section (2) and sub-section (3) of section 67 of the Income-tax Act and the share so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 6.—Where the assessee is a member of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding five thousand rupees but has any agricultural income, then, the agricultural income or loss of the association or body shall be computed in accordance with these rules and the share of the assessee in the agricultural income or loss so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 7.—Where the result of the computation for any assessment year in respect of any source of agricultural income is a loss, such loss shall be set off against the income of the assessee, if any, for that assessment year from any other source of agricultural income.

Provided that where that assessee is a partner of an unregistered firm which has not been assessed as a registered firm under clause (b) of section 183 of the Income-tax Act or is a member of an association of persons or body of individuals and the share of the assessee in the agricultural income of the firm, association or body, as the case may be, is a loss, such loss shall not be set off against any income of the assessee from any other source of agricultural income.

Rule 8.—Any sum payable by the assessee on account of any tax levied by the State Government on the agricultural income shall be deducted in computing the agricultural income.

Rule 9.—Where the net result of the computation made in accordance with these rules is a loss, the loss so computed shall be ignored and the net agricultural income shall be deemed to be *nil*.

Rule 10.—The provisions of the Income-tax Act relating to procedure for assessment (including the provisions of section 288A relating to rounding off of income) shall, with the necessary modifications, apply in relation to the computation of the net agricultural income of the assessee as they apply in relation to the assessment of the total income.

Rule 11.—For the purposes of computing the net agricultural income of the assessee, the Income-tax Officer shall have the same powers as he has under the Income-tax Act for the purposes of assessment of the total income.

THE SECOND SCHEDULE

(*See* section 24)

PART I

In the First Schedule to the Tariff Act,—

(i) in item No. 29, for the entry in the fourth column, the entry "Fifty paise per linear metre." shall be substituted;

(ii) in Item No. 72A, in the proviso to sub-item (i),—

(a) the words "in advance of their importation" shall be omitted;

(b) the words "and such contract or contracts has or have been so registered before any order is made by the proper officer of customs permitting the clearance for home consumption, or deposit in a warehouse of such items, components or raw materials" shall be inserted at the end.

PART II

Item No.	Name of article	Nature of duty	Standard rate of duty	Preferential rate of duty if the article is the produce or manufacture of		Duration of protective rates of duty
				The United Kingdom	A British Colony	
1	2	3	4	5	6	7

In the First Schedule to the Tariff Act, for item No. 63 (20A), the following item shall be substituted, namely:—

63 (20A)	Stainless steel plates, sheets and strips	Revenue	200 per cent *ad valorem*.			

THE THIRD SCHEDULE

(*See* section 27)

PART I

In the First Schedule to the Central Excises Act,—

(i) in item No. 2,—

(a) for the words "Ten per cent *ad valorem*" in the third column against sub-item (2), the words "Twenty per cent *ad valorem*" shall be substituted;

(b) the *Explanation* shall be numbered as "*Explanation I*" and after the *Explanation*, as so numbered, the following *Explanation* shall be inserted, namely:—

'*Explanation II.*—For the purposes of sub-item (2), "instant coffee" includes instant coffee containing any ingredient in addition to coffee.';

(ii) in item No. 14, the following *Explanation* shall be inserted at the end, namely:—

"*Explanation.*—This item does not include carbon black.";

(iii) in item No. 14B, for the entry in the second column, the following entry shall be substituted, namely:—

"CAUSTIC SODA AND CAUSTIC POTASH, WHETHER IN A SOLID FORM OR IN LYE.";

(iv) in item No. 14C, for the entry in the third column, the entry "Ten per cent *ad valorem.*" shall be substituted;

(v) in item No. 14F, after sub-item (ii), the following sub-item shall be inserted, namely:—

"(iii) Shaving creams, whether or not containing soap or detergents.";

(vi) in item No. 16B, for the entry in the third column against sub-item (ii), the entry "Twenty-five per cent *ad valorem.*" shall be substituted;

(vii) in Item No. 18E, for the entries in the second column, the following entry shall be substituted, namely:—

"YARN, ALL SORTS, NOT ELSEWHERE SPECIFIED, IN OR IN RELATION TO THE MANUFACTURE OF WHICH ANY PROCESS IS ORDINARILY CARRIED ON WITH THE AID OF POWER.";

(viii) in Item No. 22AA, for the entries in the second column, the following entry shall be substituted, namely:—

"TEXTILE FABRICS, NOT ELSEWHERE SPECIFIED.";

(ix) in Item No. 33C, for the entry in the third column, the entry "Twenty-five per cent *ad valorem.*" shall be substituted;

(x) in Item No. 34A, for the entry in the third column, the entry "Twenty per cent *ad valorem.*" shall be substituted;

PART II

Item No.	Description of goods	Rate of duty
(1)	(2)	(3)

In the First Schedule to the Central Excises Act,—

(i) in Item No. 4, under "II *Manufactured tobacco*—", after sub-item (3), the following sub-item shall be inserted, namely:—

	"(4) Smoking mixtures for pipes and cigarettes."	Two hundred per cent *ad valorem*.";

(ii) for Item No. 15, the following Item shall be substituted, namely:—

"15	SOAP—	
	"Soap" means all varieties of the product known commercially as soap.	
	(1) Soap, household and laundry	Ten per cent *ad valorem*;
	(2) Other sorts	Twenty per cent *ad valorem*.

(iii) in item No. 19, after sub-item I (1), the following shall be inserted, namely:—

	"(1A) Cotton fabrics other than those falling under (1), containing 30 per cent or more by weight of fibre, or yarn, or both, of non-cellulosic origin.	Fifteen per cent *ad valorem*.";

(iv) the following Items shall be inserted at the end, namely:—

62	TOOL TIPS, IN ANY FORM OR SIZE, UNMOUNTED, OF SINTERED CARBIDES OF METALS SUCH AS TUNGSTEN, MOLYBDENUM AND VANADIUM.	Twenty per cent *ad valorem*

Item No.	Description of goods	Rate of duty
(1)	(2)	(3)
63	WIRE ROPES— "Wire ropes" means ropes having a number of wire strands of iron or steel helically laid about an axis, but does not include electric cables.	Ten per cent *ad valorem*.
64	CARBON BLACK (INCLUDING LAMP BLACK AND ACETYLENE BLACK).	Ten per cent. *ad valorem*.
65	RUBBER PROCESSING CHEMICALS, THE FOLLOWING, NAMELY:— (1) Accelerators (2) Antioxidants	Ten per cent *ad valorem*".;

THE FOURTH SCHEDULE

(*See* section 29)

Item No. in the First Schedule to the Central Excises and Salt Act, 1944	Description of goods	Rate of additional duty
(1)	(2)	(3)

In the First Schedule to the Additional Duties of Excise Act,—

(i) in Item No. 4, under "II *Manufactured tobacco*—", after sub-item (3), the following sub-item shall be inserted, namely:—

"(4) Smoking mixtures for pipes and Cigarettes.	One hundred per cent *ad valorem*.";

(ii) in item No. 19, after sub-item I (1), the following shall be inserted, namely:—

"(1A) Cotton fabrics other than those falling under (1), containing 30 per cent or more by weight, of fibre, or yarn, or both, of non-cellulose origin	Two and a half per cent *ad valorem*.".